

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MAINE

In re:

BEVERLY ANN LAVIGNE,

Debtor.

Chapter 11
Case No. 16-20035

ORDER DENYING MOTION TO EXTEND TIME

Beverly Lavigne filed a “Motion for Time Extension” on November 14, 2019, which appears on the docket at Docket Entry (“D.E.”) 47. It is difficult to discern the specific relief Ms. Lavigne seeks. She claims she needs “additional time to Reply to (2 motions) Motion Denying to Reopen Case, and Motion Denying to Proceed in Forma Pauperis.” The Court construes this as a request for additional time to file a notice of appeal with respect to two orders entered on October 30, 2019: (1) Order Denying Motion to Reopen Case (D.E. 40); and (2) Order Denying Motion to Proceed In Forma Pauperis (D.E. 41) (collectively, the “Orders”).

A notice of appeal must be filed within 14 days after entry of the judgment, order or decree being appealed. Fed. R. Bankr. P. 8002(a)(1). That deadline may be extended upon motion filed within the 14-day period, or within 21 days after expiration of that period if a party shows excusable neglect. Fed. R. Bankr. P. 8002(d)(1)(A) and (B).

The deadline for filing a notice of appeal with respect to the Orders expired on November 13, 2019 and, therefore, Ms. Lavigne’s November 14, 2019 motion is untimely under Fed. R. Bankr. P. 8002(d)(1)(A). Aside from a vague reference to “medical concerns,” Ms. Lavigne does not set forth circumstances sufficient to establish excusable neglect under Fed. R. Bankr. P. 8002(d)(1)(B) and, therefore, this motion is hereby denied as untimely.

Dated: November 15, 2019

/s/ Peter G. Cary
Judge Peter G. Cary
United States Bankruptcy Court